

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

NATHANIEL SHAW,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:07-CV-606-ID
)	
D. T. MARSHALL, et al.,)	
)	
Defendants.)	

ORDER ON MOTION

Upon consideration of the motion for production of documents filed by the plaintiff (Court Doc. No. 33), and for good cause, it is

ORDERED that:

1. The motion for production of documents be and is hereby GRANTED to the extent that the plaintiff seeks production of (i) the reports and affidavits prepared on his May 9, 2007 arrest, (ii) any video and/or audio tape of the May 9, 2007 arrest, and (iii) an itemized list of all property taken from the plaintiff at the time of such arrest.

2. The motion for production of documents be and is hereby DENIED in all other respects as the plaintiff seeks documents which (i) are not within the possession or control of the defendants, (ii) address privileged matters, (ii) would undermine safety and security of law enforcement officers in effectuating arrests, (iii) are cumulative or duplicative in nature to information provided in the special report(s), (iv) are irrelevant to a determination

of the constitutional issues before this court, and/or (iv) would be overly burdensome on the defendants.

3. On or before October 19, 2007, defendants Baylor, Coughlin and Hall shall file with the court and provide to the plaintiff (i) the reports and affidavits prepared with respect to plaintiff's May 9, 2007 arrest, (ii) any video and/or audio tape of the May 9, 2007 arrest, and (iii) an itemized list of all property taken from the plaintiff at the time of such arrest. If any of the aforementioned items does not exist, the defendants shall so advise the court.

Done this 27th day of September, 2007.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE